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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**Applicants: Klaus Fuchs *et al.*

Examiner: Sudhaker Patel

Serial No.: 09/912,163

Group Art Unit: 1624

Filed: July 24, 2001

Docket: 1/1143

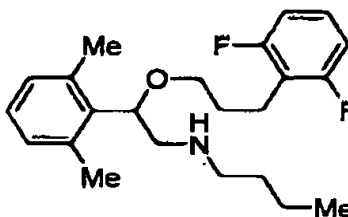
For: PHENYL- AND PHENYLALKYL-SUBSTITUTED ETHANOLAMINES AND  
ETHYLENEDIAMINESAssistant Commissioner for Patents  
Washington DC 20231**REPLY TO RESTRICTION REQUIREMENT**

Sir:

This Reply is filed in answer to the Office Action dated September 27, 2002. In that Office Action, a one month shortened statutory period was set for response and this Reply is therefore timely. If it is determined, however, that any fees under 37 C.F.R. §§ 1.16 or 1.17 are due in connection with this Reply, authorization is hereby given to charge such fees to Deposit Account No. 02-2955. In addition, applicants also request that any subsequently filed reply requiring a petition for an extension of time for its timely submission be treated as if it incorporated such petition for an extension of time pursuant to the provisions of 37 C.F.R. § 1.136(a)(3) and hereby authorize that any fees due in connection therewith be charged to Deposit Account No. 02-2955.

In the Office Action dated September 27, 2002, the Examiner imposed a restriction requirement in the instant application. The Examiner alleged that the claims of the instant application include two independent and distinct inventions, which the Examiner divided into Groups I and II.

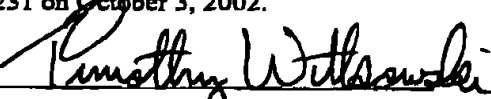
In response to that restriction requirement, applicants hereby elect without traverse to prosecute in this application the subject matter of Group I, claims 1 to 39 (in part), and elect *N*-[2-[3-(2,6-difluorophenyl)propoxy]-2-(2,6-dimethylphenyl)ethyl]-*N*-*n*-butylamine



(the species of Example 13) as the species for examination purposes. Applicants reserve the right to prosecute in one or more divisional applications whatever subject matter is not examined or allowed here.

Applicants respectfully submit that all the pending claims are allowable and therefore solicit a Notice of Allowance for all of the pending claims. If the Examiner feels that a telephone interview would be helpful in advancing prosecution of this application, the Examiner is invited to contact the attorney below.

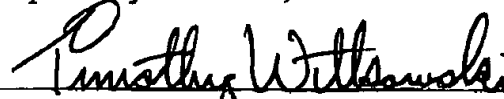
**Certificate of Mailing Under 37 C.F.R. § 1.8(a)**  
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, DC 20231 on October 3, 2002.

  
Timothy X. Witkowski  
Registration No. 40,232

10-3-2002

Dated

Respectfully submitted,

  
Timothy X. Witkowski  
Registration No. 40,232  
Attorney for Applicants

BOEHRINGER INGELHEIM CORPORATION  
Patent Department  
900 Ridgebury Road  
P.O. Box 368  
Ridgefield, CT 06877  
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Facsimile: (203) 798-4408



**Boehringer  
Ingelheim**

**T lefax**

**FAX RECEIVED**

MAY 08 2003

**GROUP 1600**

**Examiner Patel  
USPTO**

**Boehringer Ingelheim  
Pharmaceuticals Inc.**

703-308-4556

Page 1 of

**OFFICIAL**

May 07, 2003

**Case 1/1143**

**Timothy Witkowski  
Telephone 203-798-4310  
Telefax 203-798-4408  
E-Mail**

Dear

**900 Ridgebury Rd/P.O. Box 368  
Ridgefield, CT 06877-0368**

Please find enclosed the Reply to Restriction Requirement mailed to the USPTO on October 3, 2002.

Very truly yours,

A handwritten signature in cursive script that reads "Timothy X. Witkowski".

Timothy X. Witkowski

APPLICANT(S): Fuchs, K. et al  
SERIAL NO.: 09/912,163  
FILING DATE: July 24, 2001  
DOCKET NO.: 1/1143  
TITLE: Phenyl- and Phenylalkyl Substituted  
Ethanolamines and Ethylenediamines

IN CONNECTION WITH THE ABOVE CASE, PLEASE  
DATE STAMP TO ACKNOWLEDGE RECEIPT OF THE  
DOCUMENTS LISTED BELOW, AND RETURN TO  
ADDRESSEE.

1. Reply to Restriction Requirement

Mailed: October 3, 2002

AU 1624

Examiner

Patel

for  
703 308-4556